

Sec. 15. NEW SECTION. INTERAGENCY COOPERATION. All state and local agencies shall cooperate with the commission and coordinate their authorities, responsibilities, and program administration in a manner which will aid in the integrity of the protected water area system as outlined in the state plan, individual management plans, and commission administrative rules.

Sec. 16. NEW SECTION. MANAGEMENT COOPERATION WITH LOCAL GOVERNMENT SUBDIVISIONS. The commission may enter into written cooperative agreements with county board of supervisors, county conservation boards, and municipal public agencies, for the management of a protected water area.

Sec. 17. NEW SECTION. PART OF A NATIONAL SYSTEM. This chapter does not preclude a component of the protected water area system from being a part of the national wild and scenic river system under the federal Wild and Scenic Rivers Act, 16 U.S.C., secs. 1271 through 1287. The commission may enter into written cooperative agreement for joint federal-state administration of rivers which may be designated under that federal Act.

Sec. 18. NEW SECTION. DEPARTMENTAL RULES. The commission shall adopt under chapter 17A and enforce the administrative rules it deems necessary to carry out this chapter.

Approved May 11, 1984

CHAPTER 1262

PUBLIC OUTDOOR RECREATION AND RESOURCES PROGRAM

H.F. 2401

AN ACT relating to the creation of a public outdoor recreation and resources program, an advisory council, and a county conservation board fund.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 111.79 PUBLIC OUTDOOR RECREATION AND RESOURCES FUND.

1. Fifty percent of the funds credited to the public outdoor recreation and resources fund shall be expended on land acquisition and capital improvements in carrying out the provisions of this chapter. Acquisition projects, both fee-simple and less-than-fee, from willing sellers, may be for purposes of establishment or expansion of state parks, public hunting areas, natural areas, public fishing areas, water access sites, trail corridors, and other acquisition projects that are in accord with this chapter. Notwithstanding the exemption provided by section 427.1, land acquired under this subsection is subject to the full consolidated levy of property taxes which shall be paid from revenues available to be expended under this subsection. Capital improvements may be either new developments or rehabilitative in

nature. Lake and watershed restoration projects are eligible for funding under this subsection. Not more than fifty percent of the revenues available to be expended under this subsection may be used by the commission to enter into agreements with county conservation boards and county boards of supervisors in those counties without conservation boards to carry out the purposes of this subsection. The agreement shall not provide for the payment by the commission of more than seventy-five percent of the cost of the project and the agreement shall specify that the county conservation board or county board of supervisors, whichever is applicable, shall provide funds for the remaining cost of the project covered by the agreement. Revenues available to be expended under this subsection may be used for the matching of federal funds.

2. Forty-five percent of the funds credited to the public outdoor recreation and resources fund shall be expended on the state recreation tourism grant program. This program shall provide matching grants to cities and unincorporated communities for purposes of developing or improving recreational projects or tourist attractions. A city or unincorporated community may submit an application to the conservation commission for a matching grant, except that an unincorporated community shall submit the application through the county board of supervisors. Applications shall be reviewed by the advisory council for the public outdoor recreation and resources fund. The advisory council shall submit recommendations to the conservation commission regarding possible recipients and grant amounts. Grants made to an unincorporated community shall be paid to the county board of supervisors to be used for the project of the unincorporated community. The amount of the grant shall not exceed fifty percent of the cost of the development or improvement to be made and the application must demonstrate that the city or unincorporated community will provide the required matching funds.

3. Five percent of the funds credited to the public outdoor recreation and resources fund shall be expended on advertising which shall promote the use of recreational facilities and tourist attractions in the state. The commission shall enter into an agreement with the Iowa development commission for the expenditure of these funds for this purpose.

Sec. 2. NEW SECTION. 111.80 PUBLIC OUTDOOR RECREATION AND RESOURCES ADVISORY COUNCIL.

1. An advisory council for the public outdoor recreation and resources fund is created. The council shall consist of a public member appointed by the governor from each congressional district, the chairperson of the state conservation commission, the director of the state conservation commission, and a designee of the state development commission. No more than three public members shall belong to the same political party. The council shall elect a chairperson annually from among their own members, and the director of the conservation commission shall serve as council secretary. Persons already serving in an elected or appointed governmental capacity are not eligible to serve as council members.

2. The advisory council shall meet annually, in July, and upon the call of the chairperson of the advisory council. The advisory council shall make policy recommendations to the conservation commission regarding the projects and programs to be funded from the public outdoor recreation and resources fund.

3. Each county conservation board of those counties which are located in a congressional district shall nominate one person from the congressional district for appointment to the advisory council. The state conservation commission shall compile a list of the nominations of the county conservation boards for each congressional district and shall provide this list to the governor. The governor shall appoint one member from each congressional district from the nominations as provided. Appointments shall be made for three-year terms beginning

July 1 in the year of appointment. A person shall not serve more than two terms. A vacancy shall be filled for the unexpired term in the same manner as the original appointment was made.

The public members of the advisory council shall be reimbursed for actual and necessary expenses for each day employed in the official discharge of their duties. The expenses shall be paid from the administration fund of the state conservation commission.

Sec. 3. Section 107.17, Code 1983, is amended to read as follows:

107.17 FUNDS. The financial resources of said the commission shall consist of three five funds:

1. A state fish and game protection fund,
2. A state conservation fund, and
3. An administration fund.
4. A public outdoor recreation and resources fund.
5. A county conservation board fund.

The state fish and game protection fund, except as otherwise provided, ~~shall consist~~ consists of all moneys accruing from license fees and all other sources of revenue arising under the division of fish and game. Notwithstanding section 453.7, subsection 2, interest or earnings on investments or time deposits of the funds in the state fish and game protection fund and the public outdoor recreation and resources fund shall be credited to ~~the state fish and game protection fund~~ those funds respectively.

The public outdoor recreation and resources fund and the county conservation board fund consist of all moneys credited to them by law or appropriated to them by the general assembly.

The conservation fund, except as otherwise provided, shall consist of all other funds accruing to the conservation commission.

The administration fund shall consist of an equitable portion of the gross amount of the ~~two aforesaid funds~~ state fish and game protection fund and the state conservation fund, to be determined by the commission, sufficient to pay the expense of administration entailed by this chapter.

All receipts and refunds and reimbursements related to activities funded by the administration fund are appropriated to the administration fund. All refunds and reimbursements relating to activities of the state fish and game protection fund shall be credited to the state fish and game protection fund.

Sec. 4. Section 107.19, Code 1983, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. Fifty percent of the moneys credited to the public outdoor recreation and resources fund shall be expended solely in carrying out the provisions of chapter 111. These moneys are in addition to the moneys available for those purposes in the state conservation fund. Expenditures of these moneys shall be made only upon the authorization of the general assembly.

NEW UNNUMBERED PARAGRAPH. All moneys credited to the county conservation board fund shall be used to provide grants to county conservation boards to provide funding for the purposes of chapter 111A. These grants are in addition to moneys appropriated to the conservation boards from the county boards of supervisors. The grants shall be made to the conservation boards based upon the needs of the boards. Applications shall be made to the conservation commission.

Sec. 5. Section 111A.6, Code Supplement 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Grants provided by the state conservation commission from its county conservation board fund shall be expended solely for the purposes of carrying out the provisions of this chapter.

Sec. 6. In making the initial appointments to the public outdoor recreation and resources advisory council, the governor shall appoint two of the members to initial terms of one year and two of the members to initial terms of two years.

Sec. 7. Notwithstanding section 111.80, the advisory council for the public outdoor recreation fund shall not be appointed until there has been an appropriation to the public outdoor recreation and resources fund.

Approved May 11, 1984

CHAPTER 1263

FISH AND GAME PROTECTION FUND TAX CHECKOFF

H.F. 2274

AN ACT relating to the designation of moneys to be paid to the state fish and game protection fund by a taxpayer on an income tax return.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 56.18, subsection 3, unnumbered paragraph 3, Code Supplement 1983, is amended to read as follows:

However, before a checkoff pursuant to subsection 2 of the section shall be permitted, all liabilities on the books of the department of revenue, and accounts identified as owing under section 421.17 and the checkoff permitted under section 107.16 shall be satisfied.

Sec. 2. Section 107.16, unnumbered paragraphs 1 and 7, Code 1983, is amended to read as follows:

A person who files an individual or a joint income tax return with the department of revenue under section 422.13 may designate any amount of a refund due on the return to be paid to the state fish and game protection fund. The amount designated shall not exceed the amount of refund due on the return. If the refund due on the return or the payment remitted with the return is insufficient to pay the additional amount designated by the taxpayer to the state fish and game protection fund, the amount designated shall be reduced to the remaining amount of refund or the remaining amount remitted with the return.

The department shall adopt rules to implement this section. However, before a checkoff pursuant to this section shall be permitted, all liabilities on the books of the department of revenue and accounts identified as owing under section 421.17, subsection 21, paragraph "b", and the political contribution allowed under section 56.18 shall be satisfied.

Sec. 3. This Act is retroactive to January 1, 1984, for the tax years beginning on or after that date.

Approved May 11, 1984